

MEETING MINUTES

DATE: September 12, 2011

PLACE: Department of Business Regulation (DBR)

1511 Pontiac Avenue, Bldg 68-1 Conference Room

Cranston, RI 02920

MEMBERS PRESENT: Chair David R. Prengaman; Vice-Chair Barbara Feibelman; Secretary Christian J. Ladds, Members David L. DeQuattro and John K. Grosvenor

MEMBERS ABSENT: Louis A. DeQuattro, Jr., Esq., CPA, DBR Deputy Director & Counsel

Brian J. Riggs, DBR, Administrator, Financial Management

OTHERS PRESENT: Dawne Broadfield, Board Executive

CALLED TO ORDER: Chair Prengaman called the meeting to order at 2:05 p.m.

to commence Board business.

A. MINUTES OF THE MEETING OF THE BOARD

(1) Vice-Chair Feibelman moved to approve the open meeting minutes of August 15, 2011 as published. Secretary Ladds seconded. Motion passed, 5-0, five (5) in favor. Voting in favor were Chair David R.

Prengaman, Vice-Chair Barbara Feibelman, Secretary Christian J. Ladds, Members David L. DeQuattro and John K. Grosvenor.

(2) Member Grosvenor moved to approve and seal the executive session meeting minutes of the August 15, 2011 as published. Secretary Ladds seconded. Motion passed, 5-0, five (5) in favor. Voting in favor were Chair David R. Prengaman, Vice-Chair Barbara Feibelman, Secretary Christian J. Ladds, Members David L. DeQuattro and John K. Grosvenor.

B. EXECUTIVE SESSION

(1) Secretary Ladds moved to convene into executive session at 2:07 p.m. pursuant to RI General Laws, §42-46-5 (a)(2) for sessions or work sessions pertaining to collective bargaining or litigation and §42-46-5 (a)(4) for investigative proceedings regarding allegations of civil or criminal misconduct. Member Grosvenor seconded. Motion passed, 5-0, five (5) in favor. Voting in favor were Chair David R. Prengaman, Vice-Chair Barbara Feibelman, Secretary Christian J. Ladds, Members David L. DeQuattro and John K. Grosvenor.

(2) Secretary Ladds moved to adjourn from executive session and to reconvene to an open meeting at 2:38 p.m. pursuant to R.I.G.L. §42-46-4. Member Grosvenor seconded. Motion passed, 5-0, five (5) in favor. Voting in favor were Chair David R. Prengaman, Vice-Chair Barbara Feibelman, Secretary Christian J. Ladds, Members David L.

DeQuattro and John K. Grosvenor.

(3) Secretary Ladds moved to seal the executive session and record the votes taken in executive session pursuant to RI General Laws §42-46-4 and §42-46-5. Member Grosvenor seconded. Motion passed, 5-0, five (5) in favor. Voting in favor were Chair David R. Prengaman, Vice-Chair Barbara Feibelman, Secretary Christian J. Ladds, Members David L. DeQuattro and John K. Grosvenor.

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(4) Secretary Ladds moved to record the votes taken in executive session in accordance with RI General Laws §42-46-4 as follows: The Board voted to close Item D – Nicola C. DePace – National Council of Architectural Registration Boards (NCARB) - Architect Registration Examination® (ARE®) – Rolling Clock Extension. Member Grosvenor seconded. Motion passed, 5-0, five (5) in favor. Voting in favor were Chair David R. Prengaman, Vice-Chair Barbara Feibelman, Secretary Christian J. Ladds, Members David L. DeQuattro and John K. Grosvenor.

(5) Secretary Ladds moved pursuant to RI General Law §42-46-4 that the Board defer disclosure of all votes in executive session until such time as such disclosure would not jeopardize any strategy, negotiation, or investigation undertaken concerning RI General Law §42-46-5(a). Member Grosvenor seconded. Motion passed, 5-0, five (5) in favor. Voting in favor were Chair David R. Prengaman, Vice-Chair Barbara Feibelman, Secretary Christian J. Ladds, Members

David L. DeQuattro and John K. Grosvenor.

(6) In Executive Session closed matters, the vote was 5 to 0 to close one (1) matter with no (0) recusals.

(7) In Executive Session pending matters, there are three (3) pending matters, comprised of one (1) investigative matter and two(2) registration matters with no (0) recusals.

C. OLD BUSINESS

(1) New England Conference of Architectural Registration Boards (NECARB)

• 2011 Fall Conference - Rhode Island Board – Hosting State. (October 2011)

The Rhode Island Board will be hosting the NECARB 2011 Fall Conference. It is the Host Board's duties to coordinate the meeting place, to confirm the reservations and to select a continuing education topic presentation preferably in Health, Safety, and Welfare (HSW). Conference Action Items are as follows:

• Chair Prengaman, in his capacity as NECARB Region I Secretary/Treasurer, completed the following:

 Registration Package containing the Conference Announcement, Agenda and Registration Form was out to the Region for response by September 15, 2011;

 Budget details were discussed and based on ten (10) Hotel guests; six (6) RI attendees, eight (8) emeritus guests and two (2)

guest speakers.

 Announced the Emeritus Nominations: James R. Carlson, RI; Dana Newbrook, RI; Wilbur E. Yoder, RI; and Robert A. Meyer, VT;

 Hotel contract completed;

 Catering – Preliminary budget and menu agreed upon, pending final count of attendees and finalizing a few questions about the details.

• The Friday night dinner will be held at the Aspire Restaurant in the Hotel. The Saturday night dinner will be held at the New Rivers Restaurant.

 Secretary Ladds is coordinating the dinner at New Rivers Restaurant. Secretary Ladds provided a written proposal from the restaurant. Secretary Ladds will follow-up with the restaurant and inquire whether they need to know what the dinner choices are prior to the dinner or will the choices be made that night. The room can hold a maximum of twenty-four (24) guests.

• Continuing Education – Historic Preservation and Tour:

 Member Grosvenor is coordinating.

 Region I Director, Margo Jones, indicated that the continuing education credit approval is taking longer than indicated. The outline needs to be turned into “learning objectives” in order to receive continuing education credit. Member Grosvenor sent an e-mail to Edward Sanderson on August 15, 2011 outlining what both he and Mr. William McKenzie Woodward will be addressing in their presentations in order to submit to Jennifer Zolkos, American Institute of Architects/RI Chapter (AIA/ri) for approval of continuing

education credit. Member Grosvenor will send his e-mail to Ms. Zolkos asking her if there was enough information for continuing education credit approval. The Board will provide a sign-in sheet for those requesting continuing education credits which include the AIA name and number.

• Member Grosvenor will correspond with Mr. Sanderson and Mr. Woodward to confirm if and what meal they will be attending.

• Registration Bags –

• Vice-Chair Feibelman is coordinating.

• The Board agreed to give each delegate PPS City Maps copies of the Newport Architectural Guide Books. The Newport Guides are gratis from American Institute of Architects/RI Chapter (AIA/ri).

• Member Grosvenor contacted Jennifer Zolkos, AIA/ri, as to providing copies of Newport or Providence Architectural Guides Book. Once the attendee count is calculated, Vice-Chair Feibelman will pick those up for the gift bags

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D. NEW BUSINESS

(1) General Laws – (Design Competition)

Chair Prengaman indicated that this is something that the Board has talked about at the last couple of meetings based on the applicant that won the pedestrian bridge design competition without holding a current Rhode Island architectural registration. The applicant applied

for registration after winning the design competition and noted on his application exactly what he did. The Board made a decision at the last meeting and corresponded with him to say although technically the Board thought it would qualify as violating the Board's law that the Board granted the registration and that the applicant should pursue the Certificate of Authorization right away.

The bigger question to the Board right now is whether or not the Board needs to change its language about design competitions. The previous Board did discuss this issue in the past. It was voted that "phishing" and entering a "design competition" should be treated the same way, because it is the same issue. The Rhode Island General Laws indicates that a person cannot practice or offer to practice architecture without holding a current registration and Certificate of Authorization. The Board felt that if it eliminated the offer to practice it would be not regulating those who are unlicensed in any State. Vice-Chair Feibelman felt that she is now better educated about these subjects in reviewing the National Council of Architectural Registration Boards' (NCARB) Legislative Guidelines. This language specifies a way to say that a person may not practice or offer to practice but then adds an exception for a person who holds a current registration in any state and NCARB certification.

The proposed verbatim language in the NCARB Legislative Guidelines, Section IV B and C and is indicated below. This language could possibly be added to the Rhode Island General Laws, Section

5-1-14, with a leading paragraph or could be added to a new Section. Individuals who are registered in another jurisdiction are permitted to the following.

B (5) A person seeking an architectural commission in a jurisdiction in which he/she is not registered should be admitted to the jurisdiction for the purpose of offering to provide architectural services, and for that purpose only, without having first been registered by the jurisdiction, if 1 the person holds a current and valid registration issued by a registration authority recognized by the state board; and 2 the person holds a current and valid National Council of Architectural Registration Boards Certificate; and 3 the person notifies the board of the jurisdiction in writing that (a) he/she holds an NCARB Certificate and is not currently registered in the jurisdiction, but will be present in the jurisdiction for the purpose of offering to provide architectural services and (b) he/ she will deliver a copy of the notice referred to in (a) to every potential client to whom the person offers to provide architectural services; and 4 the person provides the board of the jurisdiction with a statement of intent that he/she will apply immediately to the board for registration, if selected as the architect for a project in the jurisdiction. The person should be prohibited from actually providing architectural services until he/she has been registered.

C (6) A person seeking an architectural commission by participating in an architectural design competition for a project in a jurisdiction in which he/she is not registered should be permitted to participate in the competition, if 1 the person holds a current and valid registration

issued by a registration authority recognized by the state board; and
2 the person holds a current and valid National Council of Architectural Registration Boards Certificate; and 3 the person notifies the board of the jurisdiction in writing that he/she is participating in the competition and holds an NCARB Certificate; and
4 the person provides the board of the jurisdiction with a statement of intent that he/she will apply immediately to the board for registration, if selected as the architect for the project.

The Board will e-mail Attorney DeQuattro with documentation from Connecticut and Massachusetts and tell him that the Board is asking for his legal opinion and that the Board wants to incorporate the National Council of Architectural Registration Boards' (NCARB) Legislative Guidelines verbatim language for "design competition" and for "phishing" into the Board's law in Section 5-1-14 – Practice Permitted or, if needed, a new Section, so that the section would start off talking about individuals who are registered in another jurisdiction are permitted to the following with the two (2) categories (phishing and design competition.)

Vice-Chair Feibelman moved to continue. Member Grosvenor seconded. Motion passed, 5-0, five (5) in favor. Voting in favor were Chair David R. Prengaman, Vice-Chair Barbara Feibelman, Secretary Christian J. Ladds, Members David L. DeQuattro and John K. Grosvenor.

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E. National Council of Architectural Registration Boards (NCARB) Information and Updates)-(Review/Take Action)

- (1) NCARB Fast Facts – August 31, 2011 – So noted.**
- (2) NCARB Grant 2011: Consider the Possibilities – So noted.**
- (3) NCARB News Clips - August 23, 2011 – So noted.**
- (4) NCARB News Clips – IDP Firm Award and IDP Outstanding Firm Award Applications Now Available – So noted.**
- (5) NCARB News Clips – New Vendors Selected for the ARE – So noted.**

F. APPLICATIONS

1. RECIPROCAL REGISTRATION REQUESTS FROM INDIVIDUALS REGISTERED IN OTHER STATES SEEKING REGISTRATION IN RHODE ISLAND

(A) Vice-Chair Feibelman moved to approve the following reciprocal registration requests as submitted with an expiration date of December 31, 2011. Secretary Ladds seconded. Motion passed, 5-0, five (5) in favor. Voting in favor were Chair David R. Prengaman, Vice-Chair Barbara Feibelman, Secretary Christian J. Ladds, Members David L. DeQuattro and John K. Grosvenor.

- (1) DAUBMANN, Karl (3) GOETSCH, David A.**
- (2) McDonald, Peter E. (4) SAJDA, Nicholas**

2. REGISTRATION REINSTATEMENT REQUESTS FROM INDIVIDUALS REQUESTING REINSTATEMENT OF HIS/HER RHODE ISLAND REGISTRATION.

(A) No applications at this time.

3. INITIAL REGISTRATION REQUESTS FROM INDIVIDUALS WHO HAVE COMPLETED THE REQUIRED EDUCATION, INTERN DEVELOPMENT PROGRAM (IDP) AND THE ARCHITECTURAL REGISTRATION EXAMINATION (ARE) THROUGH THE NATIONAL COUNCIL OF ARCHITECTURAL REGISTRATION BOARDS (NCARB) DIRECT REGISTRATION PROGRAM

(A) No applications at this time.

4. CERTIFICATES OF AUTHORIZATION (COA) APPLICATIONS (See Attached List)

(A) Member Grosvenor moved to approve the applications for the Certificates of Authorization for the Sole Proprietorships for Bradford Dudley; Sean M. Neuert; Park Baccari Studio; and L. Brown Pendleton, Architect as submitted. Vice-Chair Feibelman seconded. Motion passed, 5-0, five (5) in favor. Voting in favor were Chair David R. Prengaman, Vice-Chair Barbara Feibelman, Secretary Christian J. Ladds, Members David L. DeQuattro and John K. Grosvenor.

(B) Member Grosvenor moved to conditionally approve the applications for the Certificates of Authorization for the Limited

Liability Companies for Federal Hill Group, LLC; Lawton Design Studio, LLC; Leavitt Associates; and PMK Architecture Interiors LLC as submitted pending receipt of a “Certificate of Good Standing” issued by the Rhode Island Secretary of State’s Office. Vice-Chair Feibelman seconded. Motion passed, 5-0, five (5) in favor. Voting in favor were Chair David R. Prengaman, Vice-Chair Barbara Feibelman, Secretary Christian J. Ladds, Members David L. DeQuattro and John K. Grosvenor.

(C) ADD, Inc. Architecture + Design, #A-14,325, submitted an on-line Certificate of Authorization renewal application on April 27, 2011 with a change of people in responsible control without submitting an Amended Certificate of Authorization application for Board review. The Board corresponded on two (2) occasions requesting the required Amended Application with no response. The Board then sent notification via regular and certified mail notifying ADD, Inc. Architecture + Design that its Certificate of Authorization #A-14,324 expired December 31, 2010 and is considered lapsed and further advised that without a Certificate of Authorization the ADD, Inc. Architecture + Design is no longer authorized to practice or offer to practice architecture in the State of Rhode Island until the renewal process is completed and that no further correspondence will be sent and not further action will be taken. Due to lack of response, Member Grosvenor moved to close. Vice-Chair Feibelman seconded. Motion passed, 5-0, five (5) in favor. Voting in favor were Chair David R. Prengaman, Vice-Chair Barbara Feibelman, Secretary Christian J.

Ladds, Members David L. DeQuattro and John K. Grosvenor.

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(D) Member Grosvenor moved to conditionally approve the applications for the Certificates of Authorization for the Corporations for The Ballinger Company and inFORM studio, p.c. as submitted pending receipt of a “Certificate of Good Standing” issued by the Rhode Island Secretary of State’s Office. Vice-Chair Feibelman seconded. Motion passed, 5-0, five (5) in favor. Voting in favor were Chair David R. Prengaman, Vice-Chair Barbara Feibelman, Secretary Christian J. Ladds, Members David L. DeQuattro and John K. Grosvenor.

(E) Member Grosvenor moved to deny and close the applications for the Certificates of Authorization for the Limited Liability Companies and Corporations for Calabrese Good Architects, Inc.; JCJ Architecture, PC and Maloney Facilities Architecture, LLC as submitted due to lack of receipt of the required “Certificate of Good Standing” issued by the Rhode Island Secretary of State’s Office. Vice-Chair Feibelman seconded. Motion passed, 5-0, five (5) in favor. Voting in favor were Chair David R. Prengaman, Vice-Chair Barbara Feibelman, Secretary Christian J. Ladds, Members David L. DeQuattro and John K. Grosvenor.

G. ADJOURNMENT

Chair Prengaman announced that the next Board meeting is scheduled for Monday, October 17, 2011, at 1:00 p.m., at the DBR, The John O. Pastore Center, 1511 Pontiac Avenue, Conference Room 68-1, Cranston, RI 02920. Secretary Ladds moved to adjourn the meeting at 3:43 p.m. Member DeQuattro seconded. Motion passed, 5-0, five (5) in favor. Voting in favor were Chair David R. Prengaman, Vice-Chair Barbara Feibelman, Secretary Christian J. Ladds, Members David L. DeQuattro and John K. Grosvenor.

Respectfully submitted,

**Christian J. Ladds, AIA
Secretary**

CJL/dmb

• Posted on October 18, 2011 electronically on Secretary of State's Office website. Pursuant to the Open Meetings Law, R.I. Gen. Laws Sec. 42-46-6(b), business not included in this notice may be considered with the consent of the majority of the members, and/or may convene into Executive (closed) Session pursuant to R.I. Gen. Laws Sec. 42-46-5.

CERTIFICATE OF AUTHORIZATION (COA) APPLICATIONS

Board Meeting of SEPTEMBER 12, 2011

SOLE PROPRIETORSHIPS

BRADFORD DUDLEY - 0 - CA APPROVED – 09/12/11

SEAN M. NEUERT - 0 - IL APPROVED – 09/12/11

PARK BACCARI STUDIO - 0 - RI APPROVED – 09/12/11

L. BROWN PENDLETON, ARCHITECT - 0 - AR APPROVED – 09/12/11

LIMITED LIABILITY COMPANIES

FEDERAL HILL GROUP, LLC - 0 - RI APPROVED – 09/12/11

LAWTON DESIGN STUDIO, LLC - 0 - MA APPROVED – 09/12/11

LEAVITT ASSOCIATES \$100. VA APPROVED – 09/12/11

**PMK ARCHITECTURE INTERIORS LLC \$100. CT APPROVED –
09/12/11**

CORPORATIONS

**ADD, INC. ARCHITECTURE + DESIGN \$120. MA CONTINUE FOR
ANOTHER MONTH -**

#A-14,325 – Change in Responsible Control 08/15/11

**Removed: Wayne S. Koch (3132) NO RESPONSE – CLOSED –
09/12/11**

**Added: Jeffrey Wade (2925) without Required Amended Application
NO response to Bd's 04/29/11 and 06/08/11 letters requesting
an Amended Application.**

Renewed On-line Renewal - Application attached.

THE BALLINGER COMPANY \$100. PA APPROVED 09/12/11

InFORM studio, p.c. \$100. MI APPROVED 09/12/11

DENIAL

- Due to Lack of Certificate of Good Standing
Submittal from the RI Secretary of State's Office**

- **Not listed on the RI Secretary of State,
Corporation Division database.**

CALABRESE GOOD ARCHITECTS, INC. PA DENIED – 09/12/11

JCJ ARCHITECTURE, PC CT DENIED – 09/12/11

MALONEY FACILITIES ARCHITECTURE, LLC RI DENIED – 09/12/11

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